

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

AUG 30 2005

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Carol Lynn Brady

Case Number: 2:02CR00037-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen

Date of Original Sentence: 12/9/2002

Type of Supervision: Supervised Release

Original Offense: Distribution of More Than 5 Grams
of Cocaine Base, 21 U.S.C. § 841(a)(1)

Date Supervision Commenced: 11/19/2004

Original Sentence: Prison - 46 Months; TSR - 48
Months

Date Supervision Expires: 11/18/2008

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 20 You shall reside in a community corrections center for a period of 180 days. This placement may include a prerelease component, day reporting and home confinement (with or without electronic monitoring but not to include GPS) at the direction of the CCM and USPO. You shall abide by the rules and requirements of that facility and remain at that facility until discharged by the Court. The Court orders that subsistence be waived while the offender is at Turner House.

CAUSE

The offender provided positive urinalysis results for marijuana that were confirmed by the laboratory through Gas Chromatography Mass Spectrometry (GCMS), screening on June 21, 2005; June 27, 2005; July 5, 2005; July 21, 2005; July 24, 2005, and August 12, 2005. Three other urine test results provided by the offender during July and August 2005 were not included in this report, because the laboratory confirmed the nanogram levels decreased intermittently during this time frame. This may reflect that the offender quit using marijuana and then resumed illegal drug use.

On June 27, 2005, the Court ordered that the offender be placed at Second Chance Turner House to provide her with clean/sober housing. On July 25, 2005, this officer received notification from Turner House staff that the offender tested positive for alcohol and marijuana on July 23, 2005. Laboratory results confirmed the marijuana usage was not residual, rather it was new usage due to a nanogram level of 157. She also had a reading of .046 for alcohol. The incident was particularly troubling as one Federal client brought the alcohol into Turner House. Ms. Brady, along with three other Federal clients proceeded to drink the alcohol on the premises.

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Re: Brady, Carol Lynn**August 29, 2005****Page 2**

This officer and Turner House staff met with Carol Brady on July 26, 2005. She signed an "Eastern District of Washington U.S. Probation and Pretrial Services Admission of Drug Use" form indicating she used alcohol on July 23, 2005.

On August 2, 2005, this officer met with the offender in the U.S. Probation Office. She signed an "Eastern District of Washington U.S. Probation and Pretrial Services Admission of Drug Use" form. She admitted to using marijuana on July 4, 2005, and to not mailing in her monthly report forms for the months of May and June 2005.

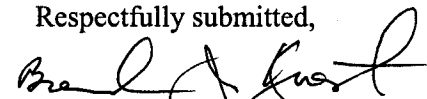
This officer tested the offender in the U.S. Probation Office on August 8, 2005. The result was confirmed by the laboratory for 37 nanograms of marijuana. Contact with Dr. Jambour at Quest Laboratories revealed that her next urine sample would be negative, unless she used the drug again. On July 12, 2005, the offender was tested upon entry into the inpatient drug treatment program at Pioneer Center East in Spokane (PCE). PCE staff received confirmation from their laboratory at Redwood Toxicology confirming that the offender's GCMS screening was a nanogram level of 303.

On August 25, 2005, this officer met with the offender and her drug counselor at PCE. The offender still denied using drugs since July 4, 2005, despite the toxicology reports to the contrary. However, the offender did agree to sign the modification for being placed at Turner House for 6 months. Carol Brady will release from PCE inpatient program on September 1, 2005.

This officer is willing to give the offender one last chance to avail herself of clean and sober housing, maintain her employment at the 7-11 stores in Spokane, and attend counseling at New Horizons. If she does not extricate herself from drug users and convicted felons, she will likely use again. If the offender chooses to use marijuana again, this officer will request a court hearing.

Respectfully submitted,


by



Brenda J. Kuest
U.S. Probation Officer
Date: August 29, 2005

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

8/29/05

Date